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March 25, 2022

VIA ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

USDC SDNY
DOCUMENT
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MEMO ENDORSED

Re: Keystone Foods Holdings Limited v. Tyson Foods, Inc. No. 1:19-cv-3888 (ALC)
Withdrawal Of Motion For Reconsideration (ECF Nos. 68-70, 72, 75-76)

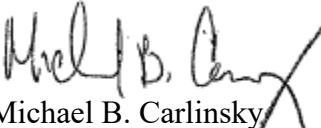
Dear Judge Carter:

We write as counsel to Plaintiff Keystone Foods Holdings Limited (n/k/a Beef Holdings Limited) ("Beef Holdings") to respectfully withdraw the pending Motion for Reconsideration filed at ECF Nos. 68-70, 72, 75-76.

In a September 30, 2020 Opinion & Order (the "Decision"), the Court granted Tyson's motion to compel arbitration and referred the parties' dispute over certain purchase price adjustments to KPMG LLP ("KPMG"). ECF No. 66, at 34. On October 13, 2020, Beef Holdings moved for reconsideration of certain portions of the Decision. ECF Nos. 68-70. Briefing on the motion is complete. *See* ECF Nos. 75-76.

Following the Decision, the parties proceeded with the arbitration before KPMG. *See* ECF No. 77. Yesterday, KPMG delivered its final determination of the purchase price. **In light of KPMG's final determination, Beef Holdings hereby withdraws its Motion for Reconsideration with prejudice.**


Respectfully submitted,


Michael B. Carlinsky

cc: All counsel of record (via ECF)

In light of the KPMG final determination, the stay in this case is lifted. The parties are ordered to file a joint status letter by April 15, 2022 regarding next steps.

The Clerk of Court is respectfully directed to lift the stay.

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

quinn emanuel urquhart & sullivan, llp

4/1/22

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